

**Agenda**  
**Greene County Industrial Development Agency**  
**Regular Meeting June 21, 2018**

**Call Meeting to Order**

**Public Comment Period**

**A. Operations & Administration**

1. Reading and approval of minutes – Regular Meeting 4/19/18
2. Finance report/approval of bills.

**B. Priority Business**

1. Catskill Exit 21 QI
2. Catskill Exit 21 West
3. Hunter Mountain Expansion
4. Windham Mountain Lift Project
5. Village of Coxsackie Municipal Solar Project #1

**C. Project Reports/Old business**

1. Athens Generating Restructuring
2. 9W/81 Intersection Upgrade Project
3. Utility Solar Projects

**D. New Business & Business from the Floor**

**Adjourn meeting**

## Greene County Industrial Development Agency

### Executive Director Monthly Report June 2018.

#### Priority Business:

##### 1. Exit21-QI

- As of 6/15/18 we still are awaiting a ruling from the federal bankruptcy judge. The court docket closed on 4/6/18 so we are at over 2 months that the briefs have been in front of the judge.
- The rebid of the demolition work resulted in the following bids;

○ Regional Environmental Demolition (Niagara Falls)	\$136,307
○ Bronze Contracting LLC (Remsen)	\$148,000
○ Classic Environmental (Latham)	\$156,500
○ Cristo Demolition (Albany)	\$220,000
○ Dan's Hauling and Demo	\$239,800

- After a review of the bid submission and references, OSPA Engineering made a recommendation to award to Regional Environmental Demolition. Regional submitted its work plan for meeting WMBE goals and was 42% short of meeting the goal. The three WMBE contractors submitted by Regional were sent to the state for approval and one was disqualified and the other required investigation by the state. Eliminating two of three of their WMBE subcontractors brought their compliance with the bid specifications down to under 20%. Regional was notified that they failed to meet the bid specifications and that staff would recommend to the Board of Directors that the bid be disqualified.

*Action: Motion to disqualify the bid submitted by Regional Environmental Demolition due to inability to meet bid specifications.*

- We have now been working with Bronze as the 2<sup>nd</sup> lowest bidder. Bronze is a WMBE certified contractor so our WMBE goals will be easily met with no complications. OSPA Engineering has reviewed their bid submissions and found them to be correct and is in the process of contacting references. I expect to have OSPA's results before the Board meeting so we can approve the bid.
- At this time, based on Bronze's current work load, we expect to be starting demo 1<sup>st</sup> week in August and it will take 2-3 weeks.

## **2. Exit21-West**

- Bids for demo of the 5 homes was opened on 6/15/18. We have a scheduled site showing for 10:00 AM on 6/21/18 and expect to have bids ready for board approval by the July meeting.

## **3. Hunter Mountain Expansion**

- SEQRA – The project has its SEQRA review conducted by the Town of Hunter Planning Board. The review was done as a coordinated review with Hunter as Lead Agency and the IDA as an involved agency. The Town issued a neg-dec on the project. Given we were involved in the SEQRA review, we can adopt the Town’s findings as our own.

*Action: Motion to adopt the Town of Hunter Planning Board SEQRA findings of a neg-dec*

- Public Hearing – A public hearing on the project will be held in Jewett and Hunter on Monday 6/18/18. It is not expected that there will be much interest.

*Action: Motion to approve minutes of the public hearing*

- Findings Statement – The project’s findings statement was distributed in advance of the meeting for Board review.

*Action: Motion to adopt the Statement of Findings*

- Project Documents – The next step is for Paul and attorneys from Hunter to initiate development and execution of the required project documents.

*Action: Motion to authorize Goldman to draft project documents and upon completion for the Chairmen to execute.*

## **4. Windham Mountain Lift Replacement**

- SEQRA – I distributed Parts 1, 2 and 3 of the SEQRA short form for the boards review in advance of the meeting. We will need to review and complete part 3 and then pass a motion of Neg-Dec

*Action: Motion to issue a SEQRA findings of a neg-dec*

- Public Hearing – A public hearing on the project will be held in Windham on Monday 6/18/18. It is not expected that there will be much interest.

*Action: Motion to approve minutes of the public hearing*

- Findings Statement – The project’s findings statement was distributed in advance of the meeting for Board review.

*Action: Motion to adopt the Statement of Findings*

- Project Documents – The next step is for Paul and attorneys from Windham to initiate development and execution of the required project documents.

*Action: Motion to authorize Goldman to draft project documents and upon completion for the Chairmen to execute.*

## **5. Village of Cocksackie Solar Project**

- In reviewing our records April and I found that we missed adoption of the Statement of Findings for the project. The Board has already reviewed.

*Action: Motion to adopt the Statement of Findings for Village of Cocksackie Municipal Solar System #1.*

- I have been contacted by the Town of Cocksackie Planning Board Chairmen. The project has an outstanding balance with the Town for the cost of the Town’s engineers review. I have asked Paul to notify the company that the PILOT agreement will not be executed as long as there is an outstanding balance with the Town on the project review escrow. The outstanding balance is over \$3,000. I do not think a motion of the board is required as I think this it is covered in our standard agreements that all permits, approvals etc. must be in place.

## **Project Reports/Old Business**

**1. Athens Generating:** We have been contacted by Athens Generating’s new owners (talon Energy) and informed that they are again undergoing reorganization. New Mach Gen, LLC (NMG) has entered into a Restructuring Support Agreement (RSA) with its 1<sup>st</sup> lien holder lender and equity owner. The RSA will reduce NMG’s indebtedness, provide expanded credit to NMG and align NMG’s balance sheet with anticipated future financial performance. The company has reassured us that all PILOT payments and other contractual obligations will be fully met with no delay. The transactions under the RSA will require Federal Energy Regulatory Commission (FERC) approval. We also just received the updated letter of credit for the project which is designed to cover the PILOT payments should the company fail to do so.

**2. 9W/81 Intersection Project:** The project that resulted in the 9W/81 intersection upgrades has finally been settled between the county, contractor and the contractors bonding company, The IDA’s obligation to pay the outstanding local share has now been calculated and billed to us. We expected the cost to be +/- \$146,000 but it actually came in under \$138,000. Since this was an already approved bill, and has been carried on out=r budget for several years, payment was made immediately. This now closes that project out.

### **3. Utility Scale Solar Projects:**

- The proposed Hecate Solar (50 MW) and Flint Mine Solar (100 MW) are both now fully engaged in the NYS Article 10 siting process. At this time, Hecate is the subject of the most opposition but it is expected that Flint Mine Solar will also face significant opposition.
- In the case of Hecate, a question has been raised as to whether they qualify for Article 10 review as the law requires the project land base to be contiguous and their project has multiple sites separated in some cases by some distance and multiple parcels in-between. The Town of Coxsackie and Assemblyman Teague have both sent the Public Service Commission letters requesting that Hecate be denied review under Article 10. No response from the PSC has occurred to my knowledge.
- I have met with Hecate on several occasions and on each I have reinforced the IDA's position that certain parcels targeted for solar, where there is existing infrastructure, will not be considered by the IDA for a PILOT. They have also been repeatedly reminded that should the Town board take action formally opposing the project(s) the IDA will also not consider a PILOT against the communities wished. Hecate acknowledged they understand our position.
- At this time I continue to inform interested parties that the IDA has taken a neutral stance on these projects and will evaluate them as the projects move through the Article 10 process. I have also stated our position that community support or lack of will be a key consideration should the IDA receive an application for assistance.